SALE OF COUNTRY BOTTLED BEER SHOPS IN THE CITIES OF BANGALORE, MYSORE AND IN THE KOLAR GOLD FIELDS FOR 1920-21.

Notice No. R. Dis. No. , dated 5th April 1920.

1. Notice is hereby given that the exclusive privilege of selling Country Beer or Porter in sealed bottles in the shops specially licensed for the purpose in the Cities of Bangalore and Mysore and in the Kolar Gold Fields, for the twelve months, beginning with 1st July 1920 and ending with 30th June 1921, will be sold by public auction on the date and at the place mentioned below, by the Deputy Commissioner of the district concerned or other officer authorised by him.

2. The manufacturers of Beer are not allowed to bid for or purchase the shops.

Each bidder at the auction shall deposit a sum of Rs. 50 or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. The shops will be knocked down to the approved highest bidder, subject to the formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion, without assigning reasons for the same. Such formal confirmation will, unless revised by Government, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

4. As soon as the auction is completed, the deposits made by the unsuccessful bidders will be returned to them.

5. The person to whom the shops have been knocked down, shall be required to leave his address with the sale-conducting officer in order that the confirmation of the sale may be communicated to that address, and within seven days after service of the said notice by its presentation to the purchaser or any adult male member of the family at the place of the said address or by its being affixed thereto or by its despatch duly registered by post, deposit such further sum as with the first deposit, will make up a total security of two months' rental for the shop knocked down to him or such other reasonable amount as may be fixed by the Deputy Commissioner according to its value, and shall take out licenses and execute counterpart-engagements, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart-engagement, as aforesaid, the shop will be resold at the risk of such person, or will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

6. Resales effected under para 5 *supra*, will be at the risk of the defaulting bidder, who shall forfeit all gain, and in the event of a loss by resale or other disposal, he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale or by disposal otherwise. In the latter case, the forfeited deposit shall be deducted from the loss arising from the resale or other disposal, and the remainder, if any, shall be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by resale or other disposal, the whole of such deposit shall be credited to Government.

7. The license to be taken out under para 5 above, shall be subject to the following conditions, namely:—

(1) The privilege conferred by the license extends to the sale only in sealed bottles of Country Beer or Porter brewed on the Nilgiris in Breweries which may be approved of by the Government or by Messrs. Meakin & Co., Kirkee, or by the Bangalore Brewery & Co., Bangalore,* or in any other Brewery approved by Government.

(2) Each shop shall be maintained in or close to the existing shop as may be determined by the Deputy Commissioner.

(3) The amount payable for each month shall be paid into the local Taluk Treasury on the 10th day of the month according to general condition 27 applicable to all Excise and Opium licenses published in Notification 9208—Ex. 14-18-9, dated 13th February 1920. The security deposit shall be returnable to the licensee at the expiry of the period of the lease and after deducting from it such dues as may be payable by him to Government. Failing payment as above, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at the rate of one pie per rupee per mensem or part thereof under the rules in force for the collection of land revenue. No remission or abatement of the Government dues shall, on any account whatever, be claimable by the licensee.

* Now called the "United Brewery Co., Limited."

(4) All Country beer intended to be imported into the Mysore State, in bottles, shall pay the prescribed duty at four annas and six pies per gallon into the Bangalore Taluk Treasury on the printed chellan prescribed for the purpose.

(*a*) An application shall then be made, with the aforesaid chellan received from the Treasury, to the Excise Commissioner in Mysore for the grant of the necessary permit.

(*b*) On obtaining the permit and the necessary permission of the Excise authorities of the place wherefrom the beer is to be exported, the liquor may be imported and transported into Mysore State under cover of the permit.

(*c*) The consignment on arrival at its destination shall not be opened until it is verified and certified to by an Excise Officer.

(*d*) The permit referred to in (*a*) *supra* shall be in triplicate, the original shall be issued to the applicant and the duplicate shall be sent simultaneously to the Excise Inspector concerned, who will note on the back of the permit the result of his verification, and return the same to the Excise Commissioner for being filed with the counterfoil retained in his office.

(5) The licensee shall be bound to take over any Beer or Porter which remained as stock in hand belonging to the out-going licensee on the 1st July 1920 in the existing shop, paying to the latter such compensation for the same as may be fixed by the Excise Commissioner.

(6) This lease shall not be transferable by sale, gift, mortgage or otherwise without the previous sanction of the Excise Commissioner.

(7) The vendor shall equally with the license-holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

(8) He shall sell Beer or Porter of approved quality. It should not be sold to be drunk on the premises.

(9) He shall not sell or give Beer or Porter in any quantity whatever directly or indirectly to any European or non-commissioned officer or private soldier, nor to any European or East Indian women connected with or related to men of these classes, nor allow him, her or them, to drink Beer or Porter in his premises or grounds; he shall not permit drunkenness or disorderly behaviour in his shop or premises, and shall not suffer any gambling whatsoever therein, and shall not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; he shall not wilfully harbour or conceal therein soldiers or others knowing or having reason to believe such soldiers or others to be deserters; he shall give information of suspicious characters to the Magistrate or Police Officer; and he shall not sell or give Beer or Porter to any Police Officer, Railway servant, or Excise officer, whilst on duty, or to insane person.

(10) He shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, vendor's name, the number of his shop, and the article he is licensed to deal in.

(11) He shall not receive any articles whatsoever in barter or pledge, and payment for Beer or Porter shall be made in ready money only.

(12) The Beer or Porter sold under this license shall be brewed from good materials and its quality shall be such as to satisfy the Excise Commissioner, and shall be of the same quality and density as purchased from the Brewer, without dilution or adulteration. Wort shall not exceed 1073°. The Beer or Porter sold shall not contain more than 8 per cent alcohol by volume. Samples of such Beer or Porter shall be sent duly bottled from the shop for examination and test whenever required by the Excise Department.

(13) Any Magistrate having local jurisdiction, or any officer acting under his warrant or any Excise officer shall be allowed entry to the shop at any hour so test the Beer or Porter on the premises and examine the shop accounts, which it shall be the duty of the license-holder and vendor to keep and produce. Such accounts shall be true and correct, and written up daily in the prescribed forms. All condemned Beer shall be destroyed.

(14) He shall close his shop by 8 P. M., and not open it before 9-30 A. M., except on special permit in cases of festivals, etc.

(15) Beer brought for the Commissariat Department and rejected by the Military or other Departments, shall not, under any circumstances, be forwarded for sale in the shop.

(16) The shop shall have only one door, and unless barred and protected by wire netting no window will be allowed to the rear or ends of the building; the bar, where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(17) The licensee shall be bound by the rules in force, and those which may be issued from time to time by Government.

8. In the case of any breach of the above conditions either by the licensee, or with his connivance and privity by any person in his employment, or in the event of the licensee neglecting to open his shop or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee or his servant a fine not exceeding Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and to resell the privilege or to otherwise dispose of it at the risk of the licensee; and all loss thereby caused together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1920 shall be made good by him. When a license is cancelled, the vend fee for the remaining period of the lease shall be payable at once and in default of payment shall be recovered with all losses as if they were arrears of land revenue.

9. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise laws in force.

	Date of sale.
1. Bangalore City shop at the Taluk Office ...	25th June 1920.
2. Mysore City shop do ...	26th do
3. Kolar Gold Fields shop at Bowringpet Taluk Office ...	28th do

M. A. NARAYANIENGAR,
Excise Commissioner.